

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

RICKEY TONEY

PETITIONER

VS.

CIVIL ACTION NO. 5:07-cv-4 (DCB)
Criminal No. 5:06-cr-1 (DCB) (LRA)

UNITED STATES OF AMERICA

RESPONDENT

ORDER

This cause is before the Court sua sponte, pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings, and having reviewed the plaintiff's Motion to Vacate Under 28 U.S.C. § 2255, the Court finds that a response to the motion by the government is required. Accordingly,

IT IS HEREBY ORDERED that the United States Attorney shall file an answer to the plaintiff's motion under 28 U.S.C. § 2255 to vacate, set aside or correct his sentence in criminal action no. 5:06-cr-1 (DCB) (LRA), within thirty (30) days from the date of entry of this Order.

SO ORDERED, this the 14th day of November, 2007.

s/David Bramlette
UNITED STATES DISTRICT JUDGE